

## REMARKS

Reconsideration of the above identified patent application is hereby respectfully requested in view of the foregoing amendments and following remarks. Claim 6 has been canceled and claims 1-5 and 7-9 have been amended. Claims 1-5 and 7-9 remain in the case.

The applicant and undersigned appreciate the thoroughness of the review and helpful suggestions by Examiner Dmitry Suhol. For example, the Examiner's helpful suggestion to replace "an object" with "at least one object" is most appreciated.

A petition and Fee for Extension of Time under 37 CFR 1.136(a) and payment thereof for an appropriate extension is attached hereto.

The recitation of 35 U.S.C. 112 second paragraph and the rejection of claims 1-8 thereunder, is noted. Claim 6 has been canceled. Claims 1-5 and 7-8 have been amended to overcome the rejections, as understood. If for any reason, the instant amendments do not satisfy the Examiner, the undersigned asks the Examiner for further guidance.

The undersigned has carefully reviewed the remaining claims, as per the suggestion of the Examiner and has, accordingly, amended claim 8. Claim 9, while not rejected under 35 U.S.C. 112 second paragraph, has nevertheless also been amended in this light to more particular point out and distinctly claim the subject matter.

The recitation of 35 U.S.C. 102 (b) is noted and the rejection of claims 1-8 as being anticipated by Fearon et al.

Base claims 1, 3, and 9 have been amended to further recite that an audible sound is produced (paraphrasing) that identifies the object which is being displayed to the infant during the time that it is being displayed. Furthermore, the word "adapted" has been removed from claims 1 and 3 which now positively recite the claimed elements, thereby constituting a patentable limitation. Additional limitations have also been included in the base claims as are discussed hereinafter and which further serve to differentiate the claimed structures apart from Fearon. Please consider also the remarks that are included hereinafter. Accordingly, the rejection of remaining claims 1-5 and 7-8 are believed to be overcome and reconsideration is respectfully requested.

The recitation of 35 U.S.C. 103 (a) is noted as are the rejections of Fearon in view of either Reynolds or Baik. Neither Reynolds nor Baik teach or suggest a synchronized teaching mobile the audibly identifies the object that is presented to the infant at the time it is presented. This is an element that is absent Reynolds or Baik and would be absent any applied combination thereof. It is an essential element necessary to provide the teaching benefits of the instant invention.

Furthermore, Baik teaches away from a synchronized mobile in many ways. He does not teach, as the instant claims recite, a synchronized mobile that *continually* rotates the objects and which identifies each object when it is presented to the infant. This functionality is impossible for Baik as he teaches only the inclusion of a memory module in each object. Therefore, he must also teach activation of the memory module by the use of a pull ring attached to each object for it is impossible for his device to present different objects to the infant and identify them as they are being presented. Furthermore, Baik makes specific reference that teaches away from "rotating ornaments" (the end of paragraph 0013) and therefore from any type of a synchronized mobile that continually rotates the objects

(i.e., ornaments), as is presently claimed in all of the base claims.

Furthermore, there is no suggestion by Reynolds nor Baik that they be combined in the manner proposed with Fearon. Without any such suggestion, there would be no reason why one skilled in the art and who had no prior knowledge of the applicant's claimed structure would either consult or apply the particular combination of references as proposed.

*Arguendo*, if they were nevertheless combined as proposed by the Examiner, any resultant combination would still be absent the claimed structural and method limitations (i.e., elements or method steps) as are discussed hereinabove and present in the instant base claims.

Accordingly, the rejections under 35 U.S.C. 103 (a) to remaining claims 1-5 and 7-9 are believed to be overcome and reconsideration is respectfully requested.

The prior art made of record and not relied upon that is considered pertinent to the applicant's disclosure has

been reviewed by the undersigned, but is deemed no more relevant than the applied references.

As all remaining claims 1-5 and 7-9 appear to be in condition of allowance, reconsideration thereof is respectfully requested, and a notice of allowance is courteously urged at the earliest time.

The applicant appreciates the opportunity to communicate by telephone with the Examiner if necessary. Please continue to direct all future correspondence to the correspondence address and telephone as shown below.

Respectfully submitted,

A handwritten signature in cursive script, followed by the date "7-15-03".

Risto A. Rinne, Jr.

2173 East Francisco Blvd.  
Suite E  
San Rafael, CA 94901

1-415-457-6933